

REMARKS

A. Introduction

This paper is submitted in response to the Office Action mailed May 29, 2007. A Request for a Three Month Extension of Time under 37 CFR 1.136(a) is submitted herewith, along with the fee prescribed by 37 CFR 1.17(a)(3). The response is therefore timely.

Applicant respectfully requests reconsideration and allowance of this application. Claims 12-25, 28 and 29 are pending in the application. By this amendment, claims 12-25 have been amended, claims 26 and 27 have been canceled without prejudice, and new claims 28 and 29 have been added. Applicant respectfully submits that this application is now in condition for allowance, and Applicant earnestly requests such action. Below, Applicant addresses each of the Examiner's reasons for rejection.

B. All Claims are Patentable Over the Cited References

Olez - § 102 Rejections

The Examiner rejected Claims 26 and 27 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,863,330 to Olez et al. ("Olez"). While Applicant respectfully disagrees with the Examiner's reasons for rejecting Claims 26 and 27, Applicant has nevertheless canceled these claims without prejudice in order to expedite allowance of the remaining claims. Applicant reserves the right to pursue canceled claims, and other claims, in continuing applications.

Olez in view of Carmien

The Examiner rejected Claims 12-25 under 35 U.S.C. § 103(a) as being unpatentable over Olez in view of U.S. Patent No. 5,421,931 to Carmien. Applicant respectfully submits that these claims, as amended, are allowable over Olez in view of Carmien.

Claims 12-18 and 28

Various preferred embodiments described in the present application define, *inter alia*, a method of producing a fibre reinforced structural element including a plurality of fixating elements for the fixation of said structural element to another structural element. The method comprises the step of providing a fixating element selected from the group consisting of bolt

fixtures, bolts, fittings, and any combination thereof. The method further comprises the step of providing an elongated core element of a material compatible with the materials of said fibre reinforced structural element. The core element has an end part with a specific configuration. The method further comprises the step of mounting said fixating element on said end part of said core element to produce a subassembly. The method further comprises the step of fixating said fixating element relative to said end part of said core element in a pultrusion process selected from the group consisting of (a) pulling said subassembly through a pultruder, circumferentially covering said subassembly with reinforcing fibres and resin, and heating and curing said resin for causing said resin to provide, in conjunction with said reinforcing fibres, a casing circumferentially encircling said subassembly, and (b) encasing said subassembly by adhesion in a casing of fibre-reinforced resin produced in a separate pultrusion process. The method further comprises the step of machining said subassembly within said casing of said reinforcing fibres and said cured resin to produce a fixating element assembly including said core element and said fixating element. Steps 1 through 5 are repeated to produce a plurality of fixating element assemblies. The method further comprises the step of positioning said plurality of assemblies according to intended positions of said fixating elements within said fibre reinforced structural element. The method further comprises the step of producing said fibre reinforced structural element including said fixating elements and said plurality of assemblies in a production technique selected from the group consisting of at least one of extrusion, pultrusion, or a fibre reinforcing production technique.

By contrast, Olez discloses a composite fastener and method of manufacture, and Carmien discloses a process for manufacturing reinforced rod assemblies, including tool handles. Neither of these references, nor their combination, teaches or suggests a method of producing a fibre reinforced structural element as recited in Claim 12. For example, neither Olez nor Carmien, nor their combination, teaches or suggests the steps of providing a fixating element selected from the group consisting of bolt fixtures, bolts, fittings, and any combination thereof, providing an elongated core element having an end part, mounting the fixating element on the end part of the core element, and fixating the fixating element relative to the end part in a pultrusion process. In particular, the insert plug member 24 shown in Olez is not a fixating element selected from the group consisting of bolt fixtures, bolts, fittings, and any combination

thereof. At page 1, lines 16-23 Applicant defines the terms bolt fixture, bolt and fitting as including any elements serving the purpose of cooperating with another fixating element for the fixation of a structural element that supports the bolt fixture, bolt or fitting. The insert plug member 24 shown in Olez does not meet this definition.

Since the combination of Olez and Carmien does not teach or suggest the method described above, Applicant respectfully submits that independent Claim 12 is allowable over Olez in view of Carmien. Dependent Claims 13-18 and 28, which include the features of independent Claim 12, recite additional features of particular advantage and utility. Moreover, these claims are allowable for substantially the same reasons presented above. Olez in view of Carmien does not teach or suggest all of the limitations of Claim 12, let alone the unique combinations of features recited by Claims 13-18 and 28. Accordingly, Applicant respectfully requests that the Examiner withdraw these rejections.

Claims 19-25 and 29

Claim 19 recites a method of producing a fixating element assembly. The method includes steps i)-iv) that are substantially identical to steps i)-iv) of Claim 12. As described above, the combination of Olez and Carmien does not teach or suggest steps i)-iv) of Claim 12. Accordingly, the combination of Olez and Carmien also does not teach these same steps of Claim 19. Claim 19 is therefore allowable over Olez in view of Carmien for substantially the same reasons described above with respect to Claim 12. Dependent Claims 20-25 and 29, which include the features of independent Claim 19, recite additional features of particular advantage and utility. Moreover, these claims are allowable for substantially the same reasons as Claim 19. Olez in view of Carmien does not teach or suggest all of the limitations of Claim 19, let alone the unique combinations of features recited by Claims 20-25 and 29. Accordingly, Applicant respectfully requests that the Examiner withdraw these rejections.

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CONCLUSION

For the reasons presented above, Applicant respectfully submits that claims 12-25, 28, and 29, as amended, are allowable over the art of record. Accordingly, the application should now be in condition for allowance, and passage of the application to issue is therefore earnestly solicited. If there is any further hindrance to allowance of the application, Applicant respectfully invites the Examiner to contact the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1159.

Respectfully submitted,



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